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*Jordan F. Harlow*  
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November 13, 2019

*Via ECF*  
Honorable William F. Kuntz, II  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Thomas v. New York City Dep't of Educ., et al.  
18 Civ. 2259 (WFK)(RML)  
Supplemental submission re: Defendant's Motion to Dismiss

Dear Judge Kuntz:

I am Partner in the office of Glass & Hogrogian LLP, attorney for the Plaintiff, Josephine Thomas, in the above-referenced action. I write to update the Court regarding the related state-court proceeding filed by Plaintiff and in further opposition to Defendant's pending motion to dismiss the complaint.

On April 18, 2018, Plaintiff filed a special proceeding with the New York State Supreme Court (Index No. 507887/2018) commenced pursuant to Section 3813(2-a) of the New York Education Law and Section 50-e(5) of the General Municipal Law for leave to file a late notice of claim against Defendants. On November 1, 2019, the Honorable Katherine Levine issued a Decision and Order granting Plaintiff's petition to file a late notice of claim. A copy of Judge Levine's Decision and Order is attached as Exhibit A.

Defendants, in their Memorandum of Law in Support of their Motion to Dismiss the Complaint, argued that Plaintiff's claims under the New York State Human Rights Law ("SHRL") and the New York City Human Rights Law ("CHRL") should be dismissed based on Plaintiff's failure to serve a notice of claim. However, as noted, Plaintiff has now been granted leave to file a late notice of claim. As such, this argument by Defendants now fails.

Accordingly, Plaintiff respectfully requests that Your Honor deny Defendants' Motion to Dismiss the Complaint. Thank you for your consideration.

Respectfully submitted,

/s: *Jordan Harlow*

JORDAN HARLOW